

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)	
)	
)	
v)	
)	
RYAN HARRIS,)	CRIMINAL ACTION
)	NO. 09-10243-MLW
Defendant)	

INITIAL STATUS REPORT

February 25, 2010

HILLMAN, M.J.

The following is an Initial Status Report to Wolf, CJ. to whom this case is assigned.

1. Local Rule 116.5 (A)(1) - Timing Requirements

Relief has been requested from the timing requirements imposed by L.R. 116.3. The Defendant seeks, and has been given, an additional two weeks to file his discovery letter.

2. Local Rule 116.5 (A)(2) - Discovery

The Defendant has not opted out of the automatic disclosure provisions of L.R., D.Mass. 116.1 and he requests discovery concerning expert witnesses under Fed.R.Crim.P. 16 (a)(1)E . Government should respond eight weeks before trial. The government requests, and has been given, reciprocal discovery which the Defendant will provide four weeks before trial.

3. Local Rule 116.5 (A)(3) - Additional Discovery

The parties do anticipate providing additional discovery of their future receipt of information, documents, or reports of examinations or tests (i.e. expert testimony, exculpatory

evidence, Jencks Act material, cooperating witnesses, etc.).

4. Local Rule 116.5 (A)(4) - Motion Date

Parties have requested a continuance in order to evaluate the discovery material and to determine whether to file any pre-trial motions which will require a ruling by the District Judge before trial. I have granted that request.

5. Local Rule 116.5 (A)(5) - Excludable Time

At the request of the Government, and with consent of counsel for the both parties I am excluding from the provisions of the Speedy Trial Act, the period from December 31, 2009, (date of expiration of prior order of excludable time) through and including April 29 2010 (date of the final status conference). I exclude this time, in accordance with 18 U.S.C. §3161(h)(8)(A) because the ends of justice outweigh the interests of the defendant and the public in a speedy trial. Specifically I find that the Defendant has requested this exclusion to evaluate the discovery material and to negotiate with the government regarding a non-trial resolution.

6. Local Rule 116.5 (A)(6) - Trial

At this time, it is too early to determine whether a trial is anticipated.

7. Local Rule 116.5 (A)(7) - Final Status Conference

The Final Status Conference has been set for April 29, 2010 at 3:00 pm in Courtroom 1, Fifth Floor, Donahue Federal Building, 595 Main St., Worcester, MA.

/s/Timothy S. Hillman
TIMOTHY S. HILLMAN
MAGISTRATE JUDGE